# UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF TEXAS DALLAS DIVISION

In re:	§	CASE NO. 14-32821-11
	§	
SEARS METHODIST RETIREMENT	§	CHAPTER 11
SYSTEMS, INC., et al.	§	
	§	JOINTLY ADMINISTERED
DEBTORS.	§	

## **NOTICE OF**

LIQUIDATING TRUSTEE'S MOTION FOR APPROVAL OF PREVAILING BID OF TEXAS METHODIST FOUNDATION FOR ABILENE PROPERTY PURSUANT TO AGREED UNDEVELOPED PROPERTIES SALE PROCEDURES AND ENTRY OF ORDER CONFIRMING SALE OF ABILENE PROPERTY

[Relates to Docket No. 941]

PLEASE TAKE NOTICE that on August 7, 2015, Harold Kessler, the Liquidating Trustee (the "<u>Liquidating Trustee</u>") for the Liquidating Trust established pursuant to this Court's Findings of Fact, Conclusions of Law, and Order Confirming Debtors' Second Amended Joint Plan of Reorganization Pursuant to Chapter 11 of the Bankruptcy Code [Docket No. 800] (the "<u>Confirmation Order</u>"), filed the Motion for Approval of Prevailing Bid of Texas Methodist Foundation for Abilene Property Pursuant to Agreed Undeveloped Properties Sale Procedures And Entry of Order Confirmig Sale of Abilene Property [Docket No. 941] (the "<u>Motion</u>").

#### PLEASE TAKE FURTHER NOTICE THAT:

HEARING DATE ON SUCH SALE IS SET FOR SEPTEMBER 10, 2015 at 9:30 A.M. (CT), WHICH IS AT LEAST 24 DAYS FROM THE DATE OF SERVICE HEREOF. NO OBJECTION TO SUCH SALE WILL BE CONSIDERED UNLESS A WRITTEN RESPONSE IS FILED WITH THE CLERK OF THE UNITED STATES BANKRUPTCY COURT AT 1100 COMMERCE STREET, ROOM 1254, DALLAS, TEXAS 75242 AT LEAST 4 DAYS IN ADVANCE OF SUCH HEARING DATE.

ANY RESPONSE SHALL BE IN WRITING AND FILED WITH THE CLERK, AND A COPY SHALL BE SERVED UPON COUNSEL FOR THE MOVING PARTY PRIOR TO THE DATE AND TIME SET FORTH HEREIN. IF A RESPONSE IS FILED A HEARING MAY BE HELD WITH NOTICE ONLY TO THE OBJECTING PARTY.

IF NO HEARING ON SUCH NOTICE OR MOTION IS TIMELY REQUESTED, THE RELIEF REQUESTED SHALL BE DEEMED TO BE UNOPPOSED, AND THE COURT MAY ENTER AN ORDER GRANTING THE RELIEF SOUGHT OR THE NOTICED ACTION MAY BE TAKEN.

Dated: August 11, 2015.

### Respectfully submitted,

/s/ Harold J. Kessler (w/p)\_\_\_\_\_

Harold J. Kessler BLACKBRIAR ADVISORS LLC 9506 Hill View Dr. Dallas, TX 75231

Telephone: (214) 599-8600 Facsimile: (214) 755-6292

hkessler@blackbriaradvisors.com

### LIQUIDATING TRUSTEE

-AND-

### /s/ Charles M. Rubio\_

Kyung S. Lee TBA No. 12128400 klee@diamondmccarthy.com Charles M. Rubio TBA No. 24083768 crubio@diamondmccarthy.com DIAMOND MCCARTHY LLP 909 Fannin, Suite 1500 Houston, TX 77010 Telephone: (713) 333-5147

Telephone: (713) 333-5147 Facsimile: (713) 333-5195

COUNSEL FOR TEXAS METHODIST FOUNDATION

## **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on August 11, 2015, a true and correct copy of this Notice was served electronically on those parties registered to receive electronic notice via the Court's CM/ECF system and served on the parties listed below by first class mail, postage prepaid, within one business day of this filing.

RSF Partners 3899 Maple Avenue, Suite 250 Dallas, Texas 75219

Senter Realtors Attn: Tom Niblo, CCIM 4301 Curry Ln Abilene, TX 79606

/s/ Charles M. Rubio